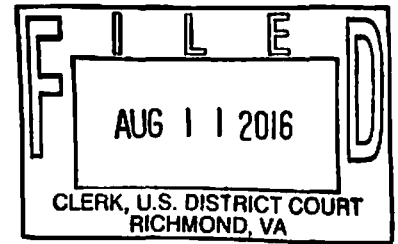


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**



UNITED STATES OF AMERICA

v.

Criminal No. 3:01CR304

ALBERT RANDOLPH

MEMORANDUM OPINION

After a guilty plea, the Court convicted Albert Randolph of one count of Racketeering Influenced and Corrupt Organizations in Criminal Enterprise and sentenced him to life in prison.

By Memorandum Opinion and Order entered on May 21, 2007, the Court denied a 28 U.S.C. § 2255 motion filed by Randolph and dismissed the action. (ECF Nos. 406, 407.) On June 27, 2016, the Court received another motion under 28 U.S.C. § 2255 from Randolph seeking relief in light of *Johnson v. United States*, 135 S. Ct. 2551 (2015). (“§ 2255 Motion,” ECF No. 628.) On July 21, 2016, the United States Court of Appeals for the Fourth Circuit denied Randolph’s request for authorization to file a successive § 2255 motion. (ECF No. 639.)

The Antiterrorism and Effective Death Penalty Act of 1996 restricted the jurisdiction of the district courts to hear second or successive applications for federal habeas corpus relief by prisoners attacking the validity of their convictions and sentences by establishing a “gatekeeping mechanism.” *Felker v. Turpin*, 518 U.S. 651, 657 (1996) (internal quotation marks omitted). Specifically, “[b]efore a second or successive application permitted by this section is filed in the district court, the applicant shall move in the appropriate court of appeals for an order authorizing the district court to consider the application.” 28 U.S.C. § 2244(b)(3)(A). The United States Court of Appeals for the Fourth Circuit denied Randolph authorization to file a

successive § 2255 motion in this Court. Accordingly, Randolph's § 2255 Motion will be DISMISSED FOR LACK OF JURISDICTION. A certificate of appealability will be DENIED.

Randolph also filed a Motion for Extension of Time in which to "fill in the docket number, as well as any other relevant information in the § 2255 application." (Mot. Ext. 1, ECF No. 629 (capitalization corrected).) Because the Court lacks jurisdiction to consider his § 2255 Motion, the Motion for Extension of Time (ECF No. 629) will be DENIED AS MOOT.

An appropriate Order shall issue.

Date: AUG 11 2016
Richmond, Virginia



M. Hannah Lauck
United States District Judge